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C O N F I D E N T I A L SECTION 01 OF 02 LJUBLJANA 000057

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STATE FOR EUR/ERA, EUR/CE, EUR/SCE, EUR/RPM, L/T

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TAGS: [PREL](#) [EUN](#) [PGOV](#) [MARR](#) [HR](#) [SI](#)

SUBJECT: SLOVENIA DESPERATELY TRYING TO AVOID A TRAIN WRECK
OVER CROATIA'S NATO ACCESSION

Classified By: CDA Brad Freden, Reasons 1.4 (b,d)

Summary and Action Request

¶1. (C) The Government of Slovenia is pursuing a multi-track approach to try to assure Croatia's entry into NATO. PM Pahor's government will continue to try to persuade the marginal Party of the Slovene Nation (SSN) to pull the plug on its campaign for a referendum about Croatia's NATO accession. At the same time, the government is planning for a worst-case scenario whereby it must deposit its instrument of ratification in Washington just hours after the signature campaign officially comes to a close at 4 p.m. on April 2. We have our doubts about the feasibility of this "Plan B," and ask for Washington's assessment of the likelihood of its success. If Washington believes that depositing the instrument of ratification on April 3 is too late, we ask for guidance that will allow us to disabuse the Slovenian government of its hope for a successful photo finish and focus the government's full attention on the one remaining option for success: turning off the signature campaign. End Summary and Action Request, also see para.

¶5.

Goal: Avoid a Referendum and Achieve Withdrawal of
Referendum Initiative

¶2. (C) The government's primary focus is still on short-circuiting the signature-gathering process by convincing SSN to withdraw from the fight. The PM's Foreign Policy advisor explained that a necessary part of this is to persuade Marjan Podobnik and the Institute 25 June not to re-enter the signature campaign. The government does not discount the possibility that Podobnik's better-organized NGO could gather the 40,000 signatures, which would result in a referendum on Croatia's NATO membership. Its more immediate fear, however, is that it will be unable to convince the SSN to give up its campaign as long as it holds out hope that Podobnik will step in and resuscitate the SSN's anemic signature campaign. The PM's advisor told us that Pahor would therefore wait a few more days to approach SSN, until it becomes clear to the SSN that they have no hope of getting anywhere near the necessary 40,000 signatures. In the meantime, the government is treading carefully so as not to agitate the mercurial Podobnik.

Plan B

¶3. (C) If SSN -- with or without Podobnik's help -- runs out the 35-day clock on March 26, the group has one week to submit its signatures to parliament, i.e., until 4 p.m. on

April 2. The seven-day follow-up period for the initiator to present the signatures is prescribed by law and the government cannot shorten it. However if it is clear on March 26 that this colorful group of concerned citizens has fallen far short of the mark, there will be intense pressure for it to throw in the towel and allow the ratification process to move forward. The government, however, is planning for a worst case scenario in which SSN digs in its heels and cynically runs out the clock. In that case, Slovenia will attempt to complete its ratification process and deposit its instrument in Washington on the morning of April 3. Slovenian officials insist that this would still allow Croatia to become a member of NATO before the end of the April 3-4 summit. MFA Director General (Under Secretary equivalent) Andrej Benedejcic told CDA on February 27 that Slovenia had discussed technical aspects of finishing Croatia's NATO process with NATO ASYG Martin Erdmann. Benedejcic acknowledged that Erdmann was uneasy, but Slovenia was optimistic that they would be able to resolve the technical challenges.

Comment - Planning Ahead

14. (C) Slovenia wants Croatia and the other Western Balkan countries to join NATO and the EU. Our interests are aligned on this issue, even though there are challenges. We do not believe there is any point in trying to convince Slovenia to contravene its Constitution. Our next best option is to support the government in its effort to use all legal means to short-circuit the signature campaign.

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However, we would advise against an approach relying on overt pressure. Squeezing the government carries the risk that it may feel itself under such short-term pressure to resolve the NATO issues that it gives in to the nationalist fringe and effectively closes the door to future negotiations with Croatia. Slovenian pundits have already published concerns that the price the government paid to get Podobnik and the Institute 25 June to back down was too high because the Parliamentary resolution passed limits Slovenia's ability to negotiate and reach a compromise with Croatia to resolve the border dispute and allow for Croatia's EU accession. We would recommend taking a cautious line when considering ratcheting up the pressure on Slovenia. The government understands that its international reputation is at stake.

Guidance Request

15. (C) If Slovenia succeeds in its primary goal of avoiding a referendum, but cannot surmount the technical challenges for finishing Croatia's ratification process by April 3, could we declare victory if Croatia's ratification process is completed before the end of the Summit on April 4? If not, we request front-channel guidance to tell the Slovenes officially that their current "Plan B" is untenable.

FREDEN